

## DARIUS W. OWENS.

APRIL 20, 1904.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, submitted the following

### REPORT.

[To accompany S. 405.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 405) granting an increase of pension to Darius W. Owens, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 2044, Fifty-eighth Congress, second session.]

The Committee on Pensions, to whom was referred the bill (S. 405) granting an increase of pension to Darius W. Owens, have examined the same and report:

This bill proposes to increase from \$6 to \$24 per month the pension of Darius W. Owens, late of Company K, Sixteenth Regiment Kentucky Volunteer Infantry.

The military records show that Darius W. Owens, the claimant, enlisted March 29, 1864, and served as a private in Company K, Sixteenth Kentucky Infantry, until July 15, 1865, when honorably discharged. The hospital records show that he was treated August 12, 1864, for sore legs, and from August 12, 1864, to September 30, 1864, for general debility.

Claimant filed a claim under the general law, and is now receiving a pension of \$6 per month for varicocele of left side, incurred during his military service. He also applied under the general law January 26, 1898, for additional disability, scurvy, resulting in periostitis of teeth and jawbones, and neuralgia, but his application was rejected April 6, 1901, on the ground that scurvy and alleged results are not shown to be of service origin, and this rejection was affirmed on appeal March 14, 1902, by Assistant Secretary F. L. Campbell.

Claimant declares that he contracted scurvy in the summer of 1864 and was treated by the regimental surgeon; that his gums bled and his teeth gave him considerable trouble; that the physician who treated him from discharge to 1881 is dead, and that he suffered during this period from effects of scurvy, sore mouth, and neuralgia of teeth and face; that about 1881 he commenced to have neuralgia very badly in his face and in his teeth, and soon after had a few teeth extracted; that he continued to suffer with his teeth and neuralgia until 1897, when neuralgic trouble assumed a severe form and he then had all of his teeth extracted; and that the gums are now ulcerated and bleeding, and he suffers from neuralgia in various points of his body, and is totally disabled.

Two comrades of good repute testified before a special examiner of the Bureau

that claimant had scurvy in the service, their knowledge being based on his complaints and their personal observation. Some neighbors testified to continuance of disease of mouth and neuralgia after discharge, and two physicians testified to claimant's condition since 1881, attributing it to scurvy, of which they had a history from claimant.

The evidence on file shows that claimant is now totally incapacitated for labor of any kind. His last medical examination, dated July 13, 1898, rated him \$6 for varicocele, \$4 for loss of teeth and disease of gums, \$4 for neuralgia, left side, and \$10 for ataxia symptoms, the examining board reporting him as totally disabled for manual labor by all of his ailments.

Evidence filed with this committee confirms the findings of the examining surgeons as to claimant's total disability for labor of any kind. It is also shown that he is financially poor, having been compelled to sell his home in 1899 in order to get necessary means for his support, and he has now no regular income save his pension of \$6 per month.

It is highly probable that claimant's disabilities all originated in the service, but, however this may be, he is now totally disabled and in need, and he was a good soldier, and your committee are of opinion that he is worthy of an increase of his pension.

The bill is reported back favorably with a recommendation that it pass.

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